



## Ag BMP Cost Share Program 3 Year Contracted Practices



### **3YR Contracted Practices**

- Why did DCR add Contracted Practices to the Program?
  - Farmers/Operators wanted reliable levels of funding for participation in the program
    - Allows agronomic planning based on guaranteed funding
    - Allows SWCD approval once to cover 3 yr participation
  - Provides documentation of long term dollars needed for the Cost Share Program from the General Assembly
  - JLARC report on Nutrient Management Implementation



### NM-1 (Nutrient Management Plan Writing and Revisions)

- Funding to help pay for nutrient management planning by <u>private sector</u> <u>planners</u>. Payments range from \$6 to \$9 per acre over the three year contract period for developing and maintaining a nutrient management plan. Actual payment rate depends on plan complexity based on nutrient sources used.
- Features equal annual payments of \$2 or \$3 per acre based on nutrient source utilized to result in stable income to planners.
- Farmers using private sector planners may redirect payments directly to the private planner from the SWCD. SWCD must send 1099-G to planner for redirected payments.
- Can be used for NMPs required by VPA or VPDES animal waste regulation or for voluntary plans. <u>NMPs required by biosolids land</u> <u>application permits are not eligible</u>.



## Why Use Private NM Plan Writers?

- NM-1 payments are not available for plans written by <u>public planners</u>
- Participants must be fully implementing a current NM plan to receive payments for SL-15A and SL-8C practice
- Using private planners is not expected to cost the participant much, if any out of pocket money. The cost-share payment typically is enough to get the plan written.
- Participants must submit nutrient application field records to SWCD to receive NM-2 funds. Many private planners may be able to assist farmers in providing these records, public planners cannot.
- The NM-1 practice was written specifically to get more involvement from the private NM planners. Tributary Strategy goals can not be met with limited public NM staff.
- Private planners are viewed as a resource to the farmer and can be more involved over the 3 year life of the plan to keep the plan up to date and implemented.



#### NM-2

(Nutrient Management Plan Implementation & Record Keeping)

- Pays farmers to implement voluntary nutrient management plans and certify nutrient applications.
- Farmers required to have NMPs for VPA or VPDES animal waste permits or sites requiring NMPs as a component of biosolids land application permits <u>are not eligible</u> for NM-2.
- Payment rate is \$3 per acre per year to implement the NMP over the three-year contract period.
- Record keeping of nutrient applications is required.



#### NM-2 - Nutrient Application Field Record Sheet (NAFRS)

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## NM-2 - Nutrient Application Field Record Sheet (NAFRS) Electronic Data Entry Microsoft Excel Version

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#### **Contracted Practice - SL-8C**

#### **SL-8C** (Small Grain Cover Crop)

- Farmers are required to have NMPs and Nutrient Application Record Sheets on file with SWCD. Plans must call for cover crop, (no nutrient application before Feb 15<sup>th</sup>).
- Manure Exception –must meet all 4 criteria
- The applicant commits to planting the <u>enrolled number</u> of acres in winter cereal grain cover crops for at least 3 sequential years.
- Farmers can select early or late planting dates
- Farmers can select cover crop seed type
- Rates vary according to planting date, and seed type/cultivars, base rate escalates in second and third year



#### **Contracted Practice - SL-8C**

#### **Rates to Remember:**

- Year 1:
  - \$20/acre base rate
  - \$15/acre early planting rate
  - \$5/acre rye cultivar rate
- Year 2 & 3:
  - \$30/acre base rate
  - \$15/acre early planting rate
  - \$5/acre rye cultivar rate
  - \$5/acre same field location rate



#### **Contracted Practice - SL-8C**

OF SW	CD FIRST YEAR OF CONTRACT PERIOD
Contract Number:	
Date: Contract Period:	to
Name of Cover Crop participant:	
Number of Acres of Cover Crop under Three-year Contra	act (SL-8C)
Farm #:	
Tract #:	
Field(s) #:	
Anticipated Planting Date:	Crop:
Driving Directions	
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The participant will notify the SWCD of the location of each acre of cover crop under contract at least ten(10) days prior to the last allowable planting date for your area in order to allow the SWCD time to verify planting dates, utilizing form DCR199-172



(DCR - 199 - 173) (06-06)



### **3YR Contracted Practices**

#### New Signup Form

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### How do you fill out the form?

#### **Contract Numbers – Section 2**

- Needed to tract BMPs over a multiple year commitment
- Will enable changing field locations to be tied to the correct contract
- Format for number is SWCD number Year –
   Sequential number system

Example for Tidewater SWCD with 3 contracts in 2007:

NM-1 >>> 01-07-00001, NM-2 >>> 01-07-00002, SL-8C >>>>01-07-00003

One Contract per Pink Sheet



### How do you fill out the form?

#### **Completion Dates? – Section 4**

 Completion date shall be at least three years from the contract approval date; however it should be extended beyond three years to accommodate cover crop kill dates or nutrient applications associated with specified rotations in nutrient management plans



### How do you fill out the form?

#### Projected Costs – Section 7 – Yr 1, Yr 2 & Yr 3

- Only filled out once per contract no matter how many pink sheets per contract.
- Yr 1 will be the same number as Column V "Dollar Amt Approved for BMP Installation" totaled for all fields on all pinks sheets for the same contract.
- Yr 2 will be the best estimate based on discussions with the participant on projected crops, planting dates and field locations.
- Yr 3 will be the best estimate based on discussions with the participant on projected crops, planting dates and field locations.
- Information can be revised in the <u>Tracking Program</u> based on the actual crop, planting date and field location in Yr 2 & Yr 3



- Farmer Smith Yr. 1 SL-8C on 5 fields 120 acres
  - 80 acres early triticale (\$20.00 + \$15.00) X 90 = **\$3150**
  - 10 acres rye \$5.00 X 10.00 = **\$50.00**
  - 30 acres late wheat \$20.00 X 30.00 = **\$600.00**
  - Total Year 1 = \$3800.00

#### Yr 2 - SL8C on 5 fields - 120 acres

- 90 acres early rye on same acres
   (\$30 + \$15 + 5) X 90 = \$4500.00
- 30 acres early wheat different acres
   (\$30 + \$15) X 30 = \$1350.00
   Total Year 2 = \$5850.00

#### Yr 3 - SL 8C on 5 fields - 120 acres

- 90 acres late triticale on different acres
   \$30 X 90 = \$2700.00
- 30 acres late wheat on same acres
   (\$30 + \$5) X 30 = \$1050.00
   Total Year 3 = \$3750.00



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FORM ID NO. U 14U1 CONTRACT FOR THREE YEAR IMPLEMENTATION OF AG BMP PRACTICES

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No further monies or other benefits may be paid out under this program unless this report is completed and filed as required by existing law and regulations (pl. 93-86) Penalty for presenting fraudulent claim: Fine of not more than \$10.000 or imprisonment of not more than five years or both (18 USC 287).

1) 2007 Name & Address Program Year  54-1234567 Foorman Smith S. S. # or Tax ID # County Am	189-6543 2011	F	SA Farm No.	FSA Tract No. B	Field No.	DCR Spec No.	Extent Requested E	F	SWCD Contract Num G	Plan Written Date H
(2) APPLICANTS REQUEST: I request funding under the State Agricultural Cost-Share, for the Lapractices. I agree to implement these practices according to state specifications for a flures-year contagree to allow appropriate agency personnel access to land under my control for the purpose of eval construction and inspection of said practices during the contract period. I understand that the VA At Program has a \$50,000 per applicant per year (July 1 hru June 30) cost-share limit, and I certify that more than that amount this program year from all combined SWCD sources.	listed contractual stract period. I also	2 3	10	2 2 2	2	SL-8C SL-8C	20 . 45 . 15	11-MC 11-MC	10-01-000 000-1:0-01 000-1:0-01	-
Have you received or will you receive cost sharing from another SWCD during the current program year? If yes, which one?  Formary Smith	[] yes <del>.[] 110</del> Date	4 5	10	2	10	SL-80	10	JM-11	10-01-000	3/1
(3) Planting Rye planted on Technically Reduction Reduction to	Distance Relief to Stream (feet)  O P	USGS	Topo Map Name	1 1	HEL	NAD 83 Co- Row UTM S	Column UTM	I have reviewed	NT OF TECHNICAL this application and ha corized based on techn	ve indicated the
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Your request form has been:  Approved (1)  Approved to the extent shown in section L  Approved (2)  BMP Installation	Installed Acres (No.) Benefited	SWCD Co. Share Payns	st Volunta Acres Implemen	ry CER1	FIFICATION	: I certify that the	NSTALLATION This practice has because standards a  Date	peen   Year   Contrac	Total Projected Year 2 Contract Costs by Contract Number:	Total Projected Year 3 Contract Costs by Contract Number: AC
Contract Completion Date: 3/15/09 1 -1.30 70000  Some Degrad 9/29/06 2 -1.92 15/150				Comme	ents:			BBB	2820'0	3750.00
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(6) PARTICIPANT PRACTICE INSTALLATION CERTIFICATION: I certify that the information (colum correct. I have implemented the first year practice and agree to implement this contractual practice for the contract in accordance with state specifications. I agree to refund all or part of the cost-share assistance or practice is found not to meet state specifications during the three-year contract period. I understand that the changed use of the property will not exempt me from this requirement.	three-year life of the tax credit if my	(8) Di	strict Payment/C Information 1 <sup>st</sup> Year	Completion	District	t Payment/Comp Information 2 <sup>rd</sup> Year	letion	District Payment/Com Information 3 <sup>ril</sup> Year		Tax Credit nount Granted
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## How to deal with Caps

- State Cap is \$50,000 per applicant (by Social Security Number/Federal Identification Number)
- SWCD Cap is \$50,000 or less

 Cap for the Contract (3yrs) is the SWCD Cap for Cropland practices in place when contract is signed



### How to deal with Caps

- If applicant signs up maximum acreage to receive his "cap" in the 1<sup>st</sup> year what happens in Yr. 2 and Yr. 3?
  - Important to discuss with participant
  - Any acreage planted to cover crops in excess of the contracted acres and cap, due to changes in field location should be reported as voluntary and can not be paid
  - Any acreage planted to higher paying seed type cultivars or same acreage location in excess of contracted acres cap should be reported as voluntary and can not be paid



## Acts of God - Breach of Contract?

- Discussed at the AG BMP Technical Advisory Committee Meeting - August 24, 2006
- OAG Review
- DCR Leadership Review
- Report out to next Ag BMP Technical Advisory
   Committee Meeting November 9, 2006



#### **3YR Contracted Practices**

New Tracking Program





# Example of Expiration Dates For the Tracking Program

	PAID	PAID	PAID	PAID
NM-1	Dec.06	Dec. 07	Dec. 08	
NM-2		Dec.07	Dec. 08	Dec. 09
SL-8C		May 07	May 08	May 09

**NM-1** Planner writing a plan approved in Oct. 06 and delivered in Dec. 06 is eligible to receive the first payment in Dec. 06 and each of the next two Decembers.

**NM-2** Participant cannot start implementing a plan until it is written and the Nutrient Application Record Sheet is received by the SWCD. Not eligible in Dec.06 but is eligible for payment in Dec. 07, then in Dec. 08 and Dec. 09. He is being paid to implement the plan and provide the Nutrient Application Record Sheet to verify.

**SL-8C** Date should be the kill down dates no earlier than March 15 and no later than May 15, 2009



## Questions?

